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NEWS RELEASE

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AG Bruning: States Request Judicial Review from U.S. Supreme Court in Health Care Challenge

LINCOLN – Attorney General Jon Bruning today announced Nebraska, as part of a 26-state coalition, is moving forward in challenging the constitutionality of the Patient Protection and Affordable Care Act (PPACA) by filing a petition for writ of certiorari in the United States Supreme Court. Today's filing requests permission to appeal the decision of the 11th Circuit Court of Appeals made August 11, 2011. The 11th Circuit affirmed the individual mandate of the Act is unconstitutional but reversed the District Court's decision that the entire Act must be struck.

"This unconstitutional law is an unprecedented expansion of an already-bloated federal government," said Bruning. "To protect individual liberty and the sovereignty of our states, the entire Act must be struck down."

In addition to addressing the severability of the individual mandate, the States are seeking permission to challenge the constitutionality of the federal government's attempt at commandeering state Medicaid programs.

To limit future expenditures related to implementation of the Act, the States urge a quick review of the 11th Circuit's decision. According to an independent study done by the actuarial firm, Milliman, Inc., the law may cost Nebraska taxpayers more than \$450 million.

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